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Attorney Docket No. 27353-513 US1

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**REQUEST  
FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Application Number	10/532,834
Filing Date	February 16, 2006
First Named Inventor	Blackburn
Group Art Unit / Conf. No.	1656 / 8870
Examiner Name	Marsha M. Tsay
Attorney Docket Number	27353-513 US1

**This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.**  
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 C.F.R. § 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).
- a. ☐ Previously submitted. If a final Office Action is outstanding, any amendments filed after the final Office Action may be considered as a submission even if this box is not checked.
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_.  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- iii. ☐ Other: \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment and Response to Notice of Non-Compliant Amendment dated December 18, 2007 accompanies the Request for Continued Examination (RCE)
- ii. ☐ Affidavit(s)/Declaration(s) of \_\_\_\_\_ under 37 C.F.R. § 1.132
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other: Exhibits: Exhibit 1 (Journal of Antibiotics) and Exhibit 2 (U.S. Patent No. 5,037,883).
2. **Miscellaneous**
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other: \_\_\_\_\_
3. **Fees** The RCE fee under C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
- a. ☒ The Director is hereby authorized to charge any additional fees that are assessable in this application, or to credit any overpayments, to Deposit Account No. 50-0311, Reference No. 27353-513 US1, Customer No.: 35437.
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
- ii. ☐ Extension of time fee for a total of \_\_\_\_\_ months (37 C.F.R. §§ 1.136 and 1.17).
- b. ☒ Check in the amount of \$405.00 is enclosed for RCE fee.
- c. ☐ Check in the amount of \$\_\_\_\_\_ is enclosed for extension of time fee.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED**

Name (Print/Type)	Ilona Gont	Registration No. (Attorney/Agent)	58,714
Signature	<i>Ilona Gont</i>	Date	January 11, 2008

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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